IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

LA.App..No. 178 of 2003()

LAR.6/1997 of PRINCIPAL SUB COURT,ATTINGAL
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APPELLANT: RESPONDENT

STATE OF KERALA

BY GOVERNMENT PLEADER SRI.K.V.MANOJ

RESPONDENTS: CLAIMANTS
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1. SHAHABUDEEN, AMEER MANZIL,
KURAKKANNI, VARKALA.

2. SAID ALI MOHAMMED YOUSEFF,
RAYARU MATTOM, CHERUKUNNAM DESOM,
VARKALA P.O.

BY ADV. SRI.J.HARIKUMAR

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.178 of 2003

Dated this the 13th day of November, 2007

JUDGMENT

Kurian Joseph,J.

This is an appeal filed against the judgment and decree in L.A.R.No.6/1997 on the file of the Sub Court, Attingal. It is seen that the enhancement granted by the reference court is upto 45%. Of the 45%, 25% is for the under valuation and 20% is for the time gap between the execution of the basic document and the date of acquisition. We find that the reference court has taken a just and proper approach in the matter while fixing the market value in proper compliance with the mandate under Section 23 of the Act. Thus there is no merit in the appeal. It is accordingly dismissed.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.178 of 2003

JUDGMENT

13th November, 2007